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**LAW DEPARTMENT**  
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October 24, 2023

**BY ECF**

Hon. Marcia M. Henry  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Xizmo Media Productions LLC v. City of New York, 21-CV-2160 (ENV)(MMH)

Dear Judge Henry:

I am an attorney in the office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, counsel for defendant in the above-referenced action. In accordance with Your Honor's order on July 31, 2023, please allow this letter to serve as a joint status report from plaintiff and defendant (collectively "the parties") regarding the status of settlement.

As stated in the parties' joint status report dated July 24, 2023, a settlement agreement was entered into on June 5, 2023 which set forth a provisional permitting scheme for plaintiff to use until a permanent scheme was adopted. A permanent regulatory scheme establishing a permitting process for the take-off and landing of unmanned aircraft, including drones, was adopted by the New York City Police Department ("NYPD") on July 21, 2023. Thereafter, the parties engaged in negotiations regarding payment of reasonable attorney's fees. The parties are continuing negotiations, but have not reached an agreement to date. As such, the parties seek a brief extension from this Court.

Your Honor's order dated July 31, 2023 indicated that any future extension would require an appearance before the Court. The parties are available on the following dates and times for a virtual appearance if convenient for the Court:

Thursday, November 2<sup>nd</sup> – AM or PM

Monday, November 6<sup>th</sup> – any time before 3PM

The parties can also provide their availability for in-person appearance upon notice of the Court's preference.

Respectfully submitted,

/s/

Gati J. Dalal  
Assistant Corporation Counsel

cc: All Counsel (via ECF)